

H Sector
PATENT
Customer No. 22,852
Attorney Docket No. 03495.0209

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

box seq

O I P E
FEB 25 2002
U. S. TRADEMARK OFFICE
SEARCHED INDEXED
SERIALIZED FILED
In re Application of:)
Edouard YERAMIAN) Group Art Unit: Not yet assigned
Serial No.: 09/950,051) Examiner: Not yet assigned
Filed: September 12, 2001)
For: GENES AND THE PHYSICS OF)
THE DNA DOUBLE-HELIX.)
FORMULATION OF A PHYSICS-)
BASED GENE IDENTIFICATION)
(PBGI) METHOD: AB INITIO)
IDENTIFICATION OF GENES IN)
EUKARYOTIC GENOMES)

Commissioner for Patents and Trademarks
Washington, DC 20231

Sir:

TRANSMITTAL LETTER

Enclosed is a reply to the Notice to File Missing Parts of Nonprovisional Application of October 29, 2001. The item(s) checked below are appropriate:

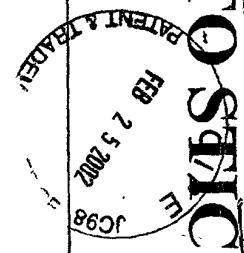
A petition for a 2 month extension of time to respond to the above Office Action. The fee of \$400 for the Extension is enclosed.

A fee of \$740 for the statutory basic filing fee.

The claims are calculated below:

	Claims Remaining After Amendment		Highest Number Previously Paid	Present Extra	
Total	6	-	(20)	0	x
Indep.	1	-	(3)	0	x
<input type="checkbox"/> First Presentation of Multiple Dep. Claim(s)					

DATE:



A fee of \$[Fee] to cover the cost of the additional claims added by the
 A fee of \$130 to cover Response to Notice to File Missing Parts of the Application is enclosed is enclosed.

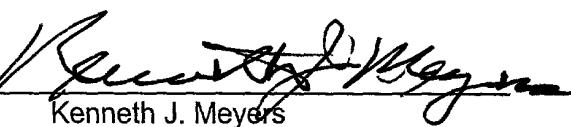
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- Also enclosed are Preliminary Amendment; Declaration/Power of Attorney; Formal Drawings; Sequence Listing on disk and paper copy.
- In addition a Petition to Submit Color Drawings and \$130 petition fee is enclosed.
- A check for \$1400 to cover the above fees is enclosed.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Dated: February 25, 2002

By:


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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/950,051	09/12/2001	Edouard Yeramian	03495.0209

O I P E
FEB 25 2002 JC98
TRADEMAKES
FINNEGAN, HENDERSON, FARABOW,
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500 I STREET, N.W.
WASHINGTON, DC 20005-3315

CONFIRMATION NO. 8676

FORMALITIES LETTER



OC000000006983462

Date Mailed: 10/29/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

03/01/2002 SMINASSI 00000021 09950051

01 FC:101
02 FC:105

740.00 OP
130.00 OP

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 840.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- A substitute specification in compliance with 37 CFR 1.52 because:
 - The specification cannot be scanned or properly stored. Page(s)
 - Papers must be legibly written either by a typewriter or mechanical printer in permanent ink or its equivalent in portrait orientation on flexible, strong, smooth, non-shiny, durable, and white paper. Application papers must be presented in a form having sufficient clarity and contrast between the paper and the writing thereon to permit the direct reproduction of readily legible

copies in any number by use of photographic, electrostatic, photo-offset, and microfilming processes and electronic reproduction by use of digital imaging and optical character recognition. Pages **68 & 69** are not in compliance with 37 CFR 1.52(a). The drawings filed are unacceptable because:

Replacement page(s), together with a statement that the replacement page(s) contain no new matter, are required.

- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

A copy of this notice MUST be returned with the reply.


Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE